

**APPLICATION FOR PRIOR NOTIFICATION - AGRICULTURAL
DELEGATED REPORT**

APPLICATION REFERENCE:	PL/2026/01943
APPLICATION TYPE:	Prior notification: Building
SITE ADDRESS:	Aquetong Farm, Cresswell Lane, Lea, Malmesbury, SN16 9PE
DEVELOPMENT DESCRIPTION:	Two general purpose agricultural buildings
RECOMMENDATION:	Prior Approval Not Required

SITE DESCRIPTION/CONTEXT

The application site comprises agricultural land in the open countryside, south east of the village of Lea. It is accessed from Cresswell Lane via an existing access that approached an existing agricultural building in the south-west of the stie. A public right-of-way, Footpath LECL11 runs close to the northern boundary of the site. There are no heritage assets within the vicinity of the site.

PROPOSAL

This application seeks a determination as to whether Prior Approval will be required in respect of the erection of two buildings for the storage of fodder, straw and agricultural machinery.

Building 1 would measure approximately 27.5m by 13.2m with an overall height of 7m. This structure would have its front and rear (northern and southern) side open and the two side elevations would be constructed of steel, box profile sheeting above concrete base panels. The roof would be grey coloured, fibre cement panels.

Building 2 would measure approximately 24.4m by 7.6m with a similar overall height to Building 1 of 7m. The same material detailing is proposed in the form of steel, box profile sheeting above concrete base panels. The roof would be grey coloured, fibre cement panels with the roof grey coloured fibre cement panels. This building would have one open side of the long eastern elevation.

RELEVANT PLANNING HISTORY

Proposal / Summary
19/01680/APD - Agricultural & Forestry - Detailed matters Decision - Prior Approval Not Required Date: 18/3/2019 – Hay / Straw Storage
PL/2024/01505 - Prior notification: Building Decision - Prior Approval Not Required Date: 6/3/2024 – Erection of an agricultural building to store Hay/Straw

RELEVANT LEGISLATION, POLICY AND GUIDANCE

This application is assessed under Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which grants planning permission for certain types of development described in Schedule 2 of the Order. The grant of permission is subject to the limitations, conditions, and provisions set out within the relevant Classes of permitted development.

Under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), certain types of agricultural development may be permitted, including:

- The erection, extension, or alteration of a building;
- The formation or alteration of a private way;
- Excavations or the deposit of waste material (where the relevant area exceeds 0.5 hectares);
- The placing or assembly of a tank in any waters.

Where such development is proposed, the developer is required to apply to the local planning authority for a determination as to whether prior approval is needed. This prior approval process is limited in scope and relates only to the following matters:

- The siting, design, and external appearance of the building;
- The siting and means of construction of the private way;
- The siting of the excavation or deposit;
- The siting and appearance of the tank.

ASSESSMENT

Does the Proposal Qualify as Permitted Development?

Having completed the detailed assessment checklist at Appendix 1 of this report, it is concluded that the proposed development qualifies as permitted development under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the assessment may now proceed to consider the siting, design, and external appearance of the development as required by the GPDO.

It is noted that the proposed buildings would be set close to the siting of two further buildings approved in 2019 and 2024 respectively. However, within the provision of Schedule 2, Part 6, D(2) (a), buildings granted permission and erected more than two years prior to the current proposal, can be discounted. Therefore, whilst both existing buildings are within 90m of the proposed buildings, it is the cumulative floor area of that permitted in 2024 which is included with the calculations.

Building 1 measures approximately 363sqm, Building 2 measures approximately 186smq and the existing building granted in 2024 measured 398smq. As such the cumulative floor area does not exceed that permitted by A.1 (e), (ii).

Is Prior Approval Required?

Within the assessment of the preceding application in 2024 it was considered that the agricultural unit was of substantial proportions and the utilitarian nature of the building considered compatible with an agricultural unit of that size. The two buildings proposed within the current application would match the design and materials of those previously granted and would be seen in context with those buildings and the overall agricultural holding.

The site is unconstrained in terms of planning policy and the proposed buildings, with their open sides are considered agricultural in nature and design. Whilst a public footpath lies close by, the development would not interfere with free passage of that footpath and as agricultural buildings would be entirely consistent with its countryside location and not harm the enjoyment of the rural landscape.

As such it is not considered that prior approval would be required in this instance in respect of the siting, design or external appearance.

CONCLUSION

The proposed development has been assessed against the provisions, limitations, and conditions set out in Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Based on the submitted plans, supporting information, and the findings of this report, it is concluded that the proposal complies with the criteria for permitted development, and therefore falls within the scope of Class A. As such, the local planning authority has considered whether prior approval is required in relation to the siting, design, and external appearance of the development. In this case, it is concluded that prior approval is not required, and the development may proceed in accordance with the submitted details.

RECOMMENDATION: That Prior Approval is NOT REQUIRED.

APPENDIX 1 – PERMITTED DEVELOPMENT CHECKLIST

	Permitted Development	Yes / No
A	Does the proposal involve the carrying out, on agricultural land forming part of an agricultural unit of 5 hectares or more, of either: (a) works for the erection, extension, or alteration of a building; or (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit?	YES
Criteria (A.1) – Development not permitted by Class A:		
(a)	Is the development proposed to be carried out on a separate parcel of land forming part of the agricultural unit that is less than 1 hectare in area?	No
(b)	Would the development consist of the erection or extension of any agricultural building on an established agricultural unit where development under Class Q or Class S of Part 3 (changes of use) has been carried out within the last 10 years?	No
(c)	Would the development consist of, or include, the erection, extension, or alteration of a dwelling?	No
(d)	Would it involve the provision of a building, structure or works not designed for agricultural purposes?	No
(e)(i)	Would the ground area covered by any works or structures (excluding fences) for accommodating livestock or plant/machinery arising from engineering operations exceed 1,000 square metres?	No
(e)(ii)	Would the ground area of any building erected, extended, or altered under Class A exceed 1,500 square metres?	No
(f)	Is any part of the proposed building, structure, or works within 3 kilometres of the perimeter of an aerodrome and would exceed 3 metres in height?	No

(g)	Is any part of the proposed building, structure, or works not within 3 kilometres of an aerodrome and would exceed 12 metres in height?	No
(h)	Would any part of the development be within 25 metres of a metalled part of a trunk road or classified road?	No
(i)	Would the development consist of, or include, the erection or construction of, or works to, a building, structure, or excavation used or intended for the accommodation of livestock or storage of slurry/sewage sludge, and be within 400 metres of the curtilage of a protected building?	No
(j)	Would the development involve excavations or engineering operations on or over article 2(4) land that are connected with fish farming?	No
(k)(i)	Would any building for storing fuel for or waste from a biomass boiler or anaerobic digestion system be used for storing waste not produced by that system or fuel not produced on land within the unit and be within 400 metres of the curtilage of a protected building?	No
(k)(ii)	Would any building for storing fuel for or waste from a biomass boiler or anaerobic digestion system and be within 400 metres of the curtilage of a protected building?	No
(l)	Would the erection or extension of a building be carried out on land or a building that is, or is within the curtilage of, a scheduled monument?	No